

REMARKS/ARGUMENTS

After entry of the amendment claims 1, 4-11, 20-27, 33-44, and 47-62 remain in the application. Claims 1 and 33 have been amended to promote prosecution, without prejudice or disclaimer of any previously claimed subject matter.

Double Patenting

Claims 1, 4-11, 20-27, 33-44, and 67-62 have been rejected under the judicially created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-10, 15-16, 19, 21, 23-26, 28-31, and 34-41 of U.S. Patent No. 6,838,073 to Douglas Collins et al. A Terminal Disclaimer will be submitted upon receipt of an indication that the claims are allowable.

Claim Rejections - 35 USC § 112

Claims 26-27 and 33-36 have been rejected under 35 USC § 112, second paragraph. The Examiner has noted that in claim 26 there are too many attachments to the carbon atom. It is submitted that claim 26 is definite. In claim 26, there is a chain "NHCHCO", wherein a CH₂-substituted aryl group is bonded to the middle CH group in the chain. This is clear since the residue is described as a peptide residue in the specification (see page 12), and as such, includes an amino group, a carbonyl group and a middle carbon atom that is substituted. Similarly, claim 33 is definite. Therefore withdrawal of this rejection is respectfully requested.

Comments/Notes

Formula 1 has been inserted into claim 33 pursuant to the Examiner's request. In claim 1, the variables a-g have been identified.

A corrected Information Disclosure Statement and 1449 Form with the year of publication of documents EG and EO also is provided herewith in accordance with the Examiner's request.

Conclusion

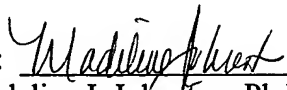
In view of the amendments and remarks herein, withdrawal of the outstanding rejections is requested.

A check in the amount of \$1,080 is enclosed for the three (3) month extension of time fee. The Commissioner is hereby authorized to charge any underpayment of fees and to credit any overpayment to Deposit Account No. 11-0980. Applicant qualifies for small entity.

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Respectfully submitted,

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